

**MINUTES  
TWELFTH SESSION OF THE TECRO-AIT  
SANITARY/PHYTOSANITARY & AGRICULTURAL  
STANDARDS WORKING GROUP CONSULTATIONS**

**June 9-10, 2003**

**Ft. Collins, CO**

**PHYTOSANITARY ISSUES**

**Fresh Apples from the United States—AIT Export Issue**

TECRO requested that the invitation for annual inspection of U.S. apple orchards should be received two months prior to export.

TECRO requested an invitation for the year 2003 inspection tour of apple orchards in Washington, Oregon, and California. AIT will provide a letter of invitation prior to July as requested by TECRO.

APHIS and BAPHIQ agreed in principle to all provisions in the attached addendum, except for the following issues:

1. Removal of grower lot by variety vs. removal of the entire lot should CM be detected during pre-screening or export inspection (4.2, 4.3, 4.4 and 5.5).
2. Option for fumigation upon arrival upon detection of CM during import inspection (7.4).
3. Eligibility for export of shipments certified for Taiwan from a suspended packing house (7.6).
4. Conditions under which program is suspended. Both sides are negotiating an approach that would provide for three detections of CM prior to program suspension (8).

TECRO stated that the draft work plan, once completed, will be submitted to the COA for approval. Both sides committed to try to resolve these outstanding issues and to have the work plan approved by early July 2003.

**Sphagnum Moss to Be Used with Orchids Imported from Taiwan—TECRO Export Issue**

AIT expressed appreciation regarding Taiwan's understanding of APHIS efforts and determination to get to this stage. Publication of the final rule allowing the importation

of Phalaenopsis in growing media remains a high priority for APHIS. AIT conveyed that APHIS expects to put the rule in the clearance process at the end of the comment period for the Environmental Assessment, which is July 9, 2003.

While the final rule is going through its clearance process, APHIS will simultaneously develop the workplan. The workplan can only be finalized after rulemaking process is complete.

In addition to drafting a workplan, a site visit will be arranged. APHIS will dispatch a delegation of experts to inspect Taiwan's greenhouses to observe and verify that operating procedures will meet the requirements of the workplan.

APHIS committed to try to have this issue resolved by the end of the year. AIT passed a letter from Dr. R. Dunkle of APHIS for Dr. Y. Yeh of BAPHIQ, confirming APHIS commitment to this issue's resolution. Dr. Yeh conveyed appreciation for Dr. Dunkle's efforts and asked APHIS to plan the visit to Taiwan before November 2003.

#### Carrots—AIT Export Issue

AIT asked for an update regarding the status of the application for market access of carrots. TECRO stated that the preliminary pest risk assessment was completed. The PRA is currently going through an internal peer review. Once the review and the risk assessment report are completed, the report will be subjected to panel review and then submitted to the plant quarantine advisory committee for approval. TECRO did not think additional questions would result. AIT asked if the United States could expect access this year. TECRO stated that the conditions were favorable.

#### Western Flower Thrips—TECRO Import Issue

TECRO reviewed the numbers of communications regarding the interceptions of Western flower thrips (WFT) on U.S. plant produce imports by Taiwan. Interception rates have been as high as 77 percent.

Given the significance to Taiwan, TECRO expressed concern that satisfactory actions have not been taken by the U.S. and to date, extensive fumigations have been conducted.

AIT understood TECRO's concerns and relayed that this is a difficult situation to resolve given field management and field packing practices as well as, the movement away from the application of broad spectrum pesticides. While this issue is being considered seriously, APHIS does not have a solution readily available.

AIT indicated that certifying officials have increased phytosanitary inspection levels. TECRO agreed to provide BAPHIQ's level of inspection and techniques used.

AIT stated that some of the mitigative measures under consideration are long-term resolutions that require research.

TECRO stated that changes to import phytosanitary conditions may not be imminent however, TECRO reiterated that BAPHIQ will take action to change regulations if the problem persists.

**Issues Associated with Taiwan's Requirements Regarding Exotic Fruit Fly Eradication Program—AIT Export Issue**

AIT asked for an update on APHIS' previous request to eliminate the buffer zone around the regulated area as required by BAPHIQ.

TECRO relayed that BAPHIQ is considering reduction of the current 20 km buffer zone around the regulated area. TECRO conveyed that a favorable consideration was made by BAPHIQ and a proposal will be submitted to the next plant quarantine advisory committee meeting in 2003 for approval.

AIT sought assurance that updates would be provided as information on TECRO's decision becomes available.

**Detector Dogs Training Program—TECRO Issue**

TECRO expressed appreciation to previous USDA support. TECRO also conveyed that Taiwan would like to have more dogs trained and is seeking U.S. assistance. TECRO requested that the United States send trainers to Taiwan to train its handlers. AIT informed TECRO that Lyle Wong of the Hawaii State Department of Agriculture has expressed a willingness to send its trainer(s) to Taiwan. AIT stressed that APHIS will continue to seek alternative ways to support AIT-TECRO cooperation on this issue, including the use of retired trainers that might be interested in working with BAPHIQ.

**Montana Tablestock and Seed Potatoes—AIT Export Issue**

AIT sought an update on progress made on this market access request.

TECRO stated that the risk assessment for Montana tablestock and seed potatoes is underway, and that BAPHIQ needs a pest list for Montana potatoes to compare with pests identified in the literature search conducted by BAPHIQ in order to complete the assessment.

AIT sought clarification for the need for additional information and why the request was not made earlier. TECRO stated that while conducting the analysis, BAPHIQ discovered in literature lists of secondary pests not mentioned in the list provided by the United States. AIT requested and BAPHIQ agreed to consider providing to APHIS the pest list it has drafted as well as its preliminary PRA.

AIT expressed its desire for a quick resolution to this issue upon receipt of the requested information.

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Mangoes Pre-Clearance Program—TECRO Export Issue

TECRO asked APHIS to consider re-establishing the Taiwan mango pre-clearance program. APHIS made clear that its regulation has not changed and that mangoes are permissible from Taiwan provided they have been treated in an APHIS pre-clearance program.

APHIS presented a revised workplan for this preclearance program to TECRO for comment. The workplan has been harmonized with other APHIS vapor heat treatment programs. BAPHIQ and APHIS will generate a revised cooperative agreement to be followed up by the APHIS area office in Tokyo.

Additional Declaration for Karnal Bunt in Wheat—AIT Export Issue

AIT asked BAPHIQ to consider removing the requirement for an additional declaration regarding karnal bunt in wheat.

TECRO conveyed that a favorable consideration was made by BAPHIQ and a proposal will be submitted to the next plant quarantine advisory committee meeting in 2003 for approval.

APHIS Emergency Action Notification—TECRO Export Issue

TECRO expressed concern about APHIS taking action on non-quarantine pests. APHIS provided TECRO with an explanation of APHIS' policy for when quarantine action is required.

AIT stated that BAPHIQ is provided with copies of EANs but recognized that the mechanism of getting the EANs to BAPHIQ may not have been the most timely in the past.

AIT relayed that APHIS has constructed an electronic database that is used in the creation and filing of Emergency Action Notifications. AIT informed TECRO that the module of the database that will automate notification has yet to be developed.

APHIS Tokyo office agreed to provide copies of these notifications to BAPHIQ on a monthly basis. TECRO asked if these EANs could be provided on a bi-weekly basis in order to know the situation in as timely a manner as possible. AIT stated that APHIS would follow up with the area office to determine if it could meet this request.

AIT requested TECRO provide pest interception notification on U.S. products in a timelier basis.

### Colorado Potatoes—AIT Export Issue

AIT requested market access of Colorado tablestock potatoes and APHIS provided a summary of the history for market access, which was initially made in 1995 and withdrawn the following year. AIT sought confirmation that there would be a need for the same pest information BAPHIQ required for Montana potatoes.

TECRO confirmed that the same information as required for Montana potatoes would be needed. BAPHIQ will communicate these information needs to APHIS.

AIT requested that BAPHIQ initiate the assessment. TECRO agreed to initiate a risk assessment upon receipt of the requested information. TECRO indicated that they require survey data to confirm the presence or absence of particular pests of concern in the production areas.

AIT stated that several of the pests are not known to occur in the production areas. AIT believes requiring specific surveys for these pests are inconsistent with IPPC standards for pest free areas. AIT stated that general surveillance information should be sufficient for these pests, as allowed for under this IPPC standard. TECRO indicated that the survey data is necessary to confirm the pest status.

### Citrus (wentan and pai pummelo) Export to the United States—TECRO Export Issue

TECRO stated that PRA information was provided to the US regarding market access for *Citrus grandis* (wentan and pai pummelo) during the 11<sup>th</sup> bilateral consultation meeting. TECRO requested an update on the status of the PRA review for these commodities.

AIT stated that the PRA for citrus from Taiwan is still pending and that it is handled as a priority by AIT.

TECRO asked APHIS about the implementation of low pest prevalence. TECRO will provide mitigation measures and additional information regarding low prevalence for black spot and citrus canker.

### European Red Mite—AIT Export Issue

AIT stated that during the past year, Taiwan required a prolonged time for the identification of European Red Mite (*Panonychus ulmi*), a non-quarantine pest for Taiwan, on a shipment of apples.

TECRO indicated that egg hatching is needed in order to obtain a positive identification.

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AIT stressed that ERM eggs have definitive characteristics which provide for rapid identification. AIT provided a color slide and other scientific information to assist in the identification of these mites.

TECRO welcomed the information and hoped this would assist in more timely identifications. TECRO stated that the specialists reviewing this information would contact APHIS with any questions.

#### **Fresh Longan Export to the United States—TECRO Export Issue**

TECRO requested an update on status of the market access request for longans from Taiwan. AIT reported that the PRA remains pending.

While the PRA is not complete, it appears that cold treatment and inspection would be required. This would only be definitive upon conclusion of PRA. The draft PRA is expected to be finalized by the end of the summer. Once the draft PRA is completed, APHIS would provide a copy to BAPHIQ for their comments.

#### **Transshipment—AIT Export Issue**

AIT expressed appreciation in approving use of transit tape for products transiting third countries.

AIT also sought clarification regarding the use of this tape. BAPHIQ indicated that the tape may be used on shipments of fresh plant and fresh plant products transiting third countries.

AIT also requested that BAPHIQ consider the comments APHIS provided on its transiting regulations.

#### **NAPIS/CAPS—TECRO Capacity-Building Request**

TECRO provided background of Taiwan's interest in NAPIS/CAPS, and requested information as to how the APHIS system works.

AIT mentioned to TECRO that APHIS would be interested in providing technical assistance to BAPHIQ. AIT provided an overview of the NAPIS/CAPS programs as requested by TECRO.

#### **Non-Quarantine Pests—TECRO Import Issue**

AIT requested an update on status on Taiwan's progress in revising its Plant Quarantine and Protection Act. TECRO indicated that the draft is currently being reviewed. The draft shall be submitted to the COA for legislative process.

AIT requested a copy of the final draft of the Act. TECRO said that once COA completes its review of the draft, COA will notify the draft to the WTO for comments. TECRO could not provide a timeframe when a final draft of the Act is to be expected.

AIT sought confirmation as to whether BAPHIQ would in the future take administrative actions to ensure conformity with IPPC standards and WTO obligations when Taiwan's laws are not in compliance. TECRO stated that Taiwan must follow its laws.

## **SANITARY ISSUES**

### **BAPHIQ's Import Health Protocol for Bovine Embryos—AIT Export Issue**

In November 2000, AIT formally submitted comments on TECRO's draft revised protocol. On May 29, 2003, AIT submitted a letter to TECRO which referenced the previous comments, provided some clarifications and introduced some additional comments. TECRO is reviewing all relevant materials and will respond to AIT as soon as possible.

### **BAPHIQ's Import Health Protocols for Bovine Semen and Caprine and Ovine Semen—AIT Export Issue**

AIT proposed in a May 29, 2003 letter to TECRO that cELISA be added to both protocols as a bluetounge testing option and the protocol for caprine and ovine semen be modified to require only one bluetounge test for donor bucks. TECRO is currently reviewing the AIT proposal and will provide a response as soon as possible.

### **BAPHIQ's Import Health Protocols for 1) Cattle and 2) Sheep and Goats—AIT Export Issue**

In a letter dated May 21, 2003 TECRO provided a response to AIT's letter of November 1, 2002. The response was discussed and AIT will contact TECRO in the near future to address these issues further.

### **BAPHIQ's Import Suspension on Pennsylvania Poultry and Poultry Products—AIT Export Issue**

In December 2002, AIT submitted a completed questionnaire as required by TECRO to remove the current import suspension on U.S.-origin poultry and poultry products from Pennsylvania. In April 2003, TECRO responded with a request for additional information. AIT has agreed to provide TECRO with the requested information as soon as possible. TECRO will use this information to complete a risk assessment.

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**BAPHIQ's Import Requirements for Dry Pet Food Produced in States Affected by Exotic Newcastle Disease (END)—AIT Export Issue**

Currently, TECRO requires that U.S.-origin pet food containing poultry meat-and-bone meal (MBM) from END areas be treated at 133 degrees Celsius at 3 bar pressure for 20 minutes. AIT has proposed that a heat treatment process that ensures the interior of poultry MBM is heated to 60 degrees Celsius for 30 minutes is sufficient. AIT and TECRO agree that the solution should be science-based. AIT also stated that current BAPHIQ heat treatment requirements for END exceed international standards and OIE guidelines without a scientific foundation. TECRO disagreed that BAPHIQ regulations exceed international standards and OIE guidelines.

TECRO confirmed that, with regard to pet food containing poultry produced in END affected areas, only poultry MBM are required to be treated to a temperature of 133 degrees Celsius at 3 bar pressure for 20 minutes. Pet food containing poultry produced in END affected areas may contain ruminant and porcine MBM that have not been treated at these parameters but comply with relevant regulations.

TECRO reiterated that rendered poultry products from END free areas cannot be processed into pet food in an END affected area without first being heat treated to 133 degrees Celsius at 3 bar pressure for 20 minutes. AIT proposed that shipments of rendered poultry products from END free areas of the U.S. be allowed to be shipped to END affected areas for further processing subject to certification. TECRO indicated that this would not be possible due to regulatory concerns about the potential for commingling of rendered poultry products.

TECRO confirmed that all U.S.-origin pet food packaged in hermetically sealed pouches which comply with BAPHIQ's requirements for canned products are exempt from the aforementioned heat treatment schedule regardless of the END status of the producing State.

TECRO requires that U.S. pet food facilities in END affected areas be inspected by BAPHIQ inspectors for approval prior to shipping. The inspection is to confirm that heat treatment requirements are being met and that there is no cross contamination with untreated poultry material from END affected areas. AIT proposed that APHIS certification based on BAPHIQ requirements be accepted subject to periodic audit by BAPHIQ officials. TECRO maintained this was not acceptable. AIT expressed concerns about the lack of reciprocity to AIT's willingness to accept BAPHIQ's certification for similar commodities exported to the U.S. AIT proposed that the first plant inspection be conducted jointly by both BAPHIQ and APHIS inspectors in accordance with TECRO requirements. Inspections would then be subject to periodic audit by BAPHIQ. TECRO reiterated that current regulations require each plant to be inspected by BAPHIQ. AIT will provide a formal written proposal to TECRO for consideration and review. TECRO will review this proposal and respond as soon as possible.



AIT confirmed that END has been eradicated from the States of Arizona, Nevada and Texas. TECRO stated that they will not recognize these States to be END free until AIT has submitted completed "Questionnaire(s) for the Recognition of a Country or Zone(s) Free from Infectious Animal Disease(s)" and TECRO has had an opportunity to review the information provided. AIT agreed to provide relevant information to request to have these three States and northern California recognized as free of END by TECRO. A formal response from TECRO will be provided as soon as possible.

#### **Animal Health Technical Assistance—TECRO Capacity Building Request**

TECRO requested animal health training for BAPHIQ officials at the Center for Epidemiology and Animal Health (CEAH) in Ft. Collins, Colorado. AIT requested that TECRO prepare a formal written request for consideration by APHIS. The letter should include a request: 1) to attend the formal risk analysis training, 2) to remain on site and work directly with CEAH personnel on risk analysis, and 3) for any available funding assistance. APHIS will provide a formal response to TECRO's letter as soon as possible.

#### **FOOD SAFETY ISSUES**

##### **MRLs for Litchi and Carambola—TECRO Export Issue**

TECRO requested an update on the status of its request to establish of maximum residue limits (MRLs) for bifenthrin, deltamethrin, and cymoxanil on litchi and carambola. AIT relayed to TECRO that EPA has scheduled the review of deltamethrin and cymoxanil for fiscal year 2003. TECRO responded that when TECRO applied for establishing MRLs for these pesticides in 2001, EPA agreed to take this request into special consideration and try its best to finish its review within 9 months to a year. TECRO asked that AIT encourage EPA to complete the review as proposed. AIT also informed TECRO that the petition for bifenthrin had been temporarily withdrawn by the applicant company (FMC) as it is being reassessed. TECRO asked AIT to follow up with EPA to determine the status of its reassessment. AIT agreed to this request.

##### **Limits of Detection of Chemicals on Litchi and Carambola—TECRO Export Issue**

TECRO asked that detection limits for residues of seven chemicals (i.e., carbaryl, carbendazin, chlorothalonil, chlorpyrifos, dimethoate, dithianon, and fenthion) be set for litchi and carambola. AIT stated that it would provide TECRO with contact information for appropriate authorities within EPA and FDA with whom TECRO should discuss this request.

##### **Transit/Reloading of Poultry Meat in California—AIT Export Issue**

AIT (FSIS and APHIS) raised U.S. interest in using FSIS-inspected facilities in California to transfer chilled/frozen poultry meat from sealed railroad cars/trailers to sealed ocean freight containers under the supervision of FSIS regulatory officials under

conditions which will not allow exposure to END virus. AIT noted and TECRO confirmed that under BAPHIQ regulations, as all of California is considered an END area, transfer between sealed containers in California is not permitted for shipments to Taiwan. TECRO cited an excerpt from the APHIS Animal Products Manual which pertains to the requirement of shipments of poultry meat to have been sealed in the country of origin prior to transiting END affected countries. AIT (APHIS) stated that this policy does not apply in this case, as the reloading of the product occurs under the control of the same regulatory officials as in the country of origin. For a country which has areas recognized by the USDA as free of a certain disease as well as areas recognized by USDA as affected by that disease, APHIS may permit, under the direct supervision of the foreign regulatory authority, the reloading of shipments of poultry meat from one sealed container to another sealed container under specific conditions. APHIS considers these scenarios on a case-by-case basis. AIT will provide a proposal for poultry shipped from END-free areas in sealed containers and then reloaded into other shipping containers sealed under FSIS supervision. FSIS would certify that the products were transferred from one sealed shipping container to another shipping container, which was then sealed without the product having been in contact with any source of END contamination. TECRO will consider the proposal, but reiterated that currently, only those products that comply with BAPHIQ regulations will be allowed entry into Taiwan. TECRO also suggested that the United States apply for disease-free status for northern California, Arizona, Nevada, and Texas.

**Status of Equivalence Process for Taiwan Processed Poultry Meat—TECRO Export Issue**

TECRO requested an update on their request to AIT for FSIS equivalency for Taiwan's slaughter and processing of poultry meat. FSIS outlined the regulatory process, which consists of a risk assessment, audit, and rulemaking. To speed up the process, FSIS has initiated the rulemaking process prior to completion of the risk assessment. AIT noted that TECRO needs to provide some additional documents and respond to additional questions in order to complete the preliminary risk assessment. In order to speed up the risk assessment process, AIT offered to hold a series of teleconferences/digital video conferences to deal with each of the following areas:

1. Government agencies and their responsibilities for meat food safety at the national and local level, including, but not limited to, BAPHIQ, the Department of Health, and the Environmental Protection Agency.
2. Laboratory facilities and procedures.
3. Animal diseases and animal drugs.
4. Enforcement of laws and regulations.

In addition, AIT has requested certain economic information on the poultry and feed industry as well as potential trade impacts which is necessary for the rulemaking process.

TECRO affirmed that they would welcome the teleconferences and requested that AIT (FSIS) provide questions well in advance so that BAPHIQ can prepare appropriately.

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In addition, AIT (FSIS) offered to place the on-site audit on their FY 2004 schedule, if TECRO requests. However, AIT (FSIS) recommended that TECRO assure that Taiwan is well-prepared prior to the audit.

#### Technical Cooperation in Biotechnology—TECRO Import Issue

TECRO (DOH) and AIT (GIPSA and FAS) explored potential areas for future technical cooperation in biotechnology. These discussions were held partly in conjunction with a visit to the GIPSA Technical Services Division (TSD). GIPSA informed TECRO that in late June 2003, GIPSA/TSD and the National Institute for Standards and Technology (NIST) are hosting a meeting to discuss the development of reference materials for biotechnology-derived grains and oilseeds. AIT offered to pass on results from this meeting as well as to encourage TECRO's participation in future activities organized by participants of this meeting. GIPSA also expressed an interest in the DOH-developed plasmid technology for reference materials and TECRO will review such a request.

TECRO also requested AIT cooperation in the area of food safety risk assessment and AIT (FAS) offered the possibility of organizing one or more digital video conferences based on a written request specifying detailed areas of interest.

TECRO also requested that AIT support TECRO's participation in international organizations, such as Codex Alimentarius Commission (CAC), in order that it may contribute to harmonization of international biotech regulations. AIT expressed a willingness to pursue issues of mutual interest, on a case-by-case basis, concerning food safety and agricultural biotechnology at the CAC.

#### Unapproved Biotech Events—TECRO Import Issue

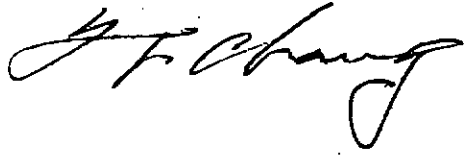
TECRO (DOH) requested an update on the current status of Starlink corn. AIT responded that U.S. grain marketing companies employ effective measures to prevent Starlink corn from entering channels for unapproved uses, including export. Corn is tested at various stages of the grain marketing chain to detect Starlink corn. GIPSA sampling and testing methodology are used and Starlink corn is diverted to approved uses in the domestic U.S. market. AIT noted that Taiwan corn importers require that corn shipped to Taiwan test negative using the GIPSA Starlink sampling and testing methods.

TECRO requested and AIT agreed to provide further information on how the U.S. grain marketing system prevents Starlink corn from entering channels for unapproved uses, including export, as well as GIPSA reports on Starlink testing results.

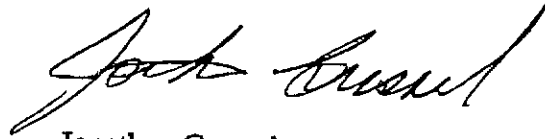
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The minutes are done in Fort Collins, Colorado on the tenth of June in the year two thousand and three.



Yin-Fu Chang  
Headquarters for Taipei Economic and  
Cultural Representative Office in the U.S.  
(TECRO)



Jonathan Gressel  
American Institute in Taiwan  
(AIT)



Ying Yeh  
Bureau of Animal and Plant  
Health Inspection and Quarantine (BAPHIQ)  
Council of Agriculture (COA)



Cathleen Enright  
Animal and Plant Health  
Inspection Service (APHIS)  
United States Department of  
Agriculture (USDA)